247

__, 19 86 , that the subject matter of this petition be advertised, as w 30,580

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

ORDERED By The Zoning Commissioner of Baltimore County, this ___4th_

County, on the ______ day of __October_

THE STATE OF THE SERVICE OF THE SERVICE STATE OF TH

- ···· - · · ·

Z.C.O.-No. 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Location of property: 15 5 Manuel Manuel Mana 127 1 1120 Ad Fridand Rose (5347 Colonge de port BN)

BEFORE THE IN RE: PETITION SPECIAL EXCEPTION

NE/S of Johnnycake Road, ZONING COMMISSIONER 127.6' tW of Old Frederick Road (5547 Johnnycake Road) -OF BALTIMORE COUNTY 1st Election District

Case No. 87-166-X John Greco, et al,

Petitioners *

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a drive-thru/ walk-up convenience food service facility, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by Arthur Lister, Vice President and Director of Operations for Mar-Win Corporation, the Contract Purchaser, appeared and testified and were represented by Counsel. Tom Hoff, a registered landscape architect, also testified on their behalf. Donald Kronthal, the owner of a carry-out restaurant in the area, and Beatrice Pilcher, a tenant in the building on the site to be purchased by the Petitioner, testified in opposition.

Testimony indicated that the subject property, zoned B.R. and located on Johnnycake Road, is presently improved with a building which the Petitioners propose to raze in order to construct a 42' x 9 1/2' drive-thru facility. The proposed facility would be used solely as a drive-thru and walk-thru restaurant, with no capability for sit-down or on-premises consumption. The menu would be extremely limited, i.e., hamburgers and chicken fillets. It is expected that customers could be served in their automobiles every 30 seconds, with an average of four to seven cars on the site at peak hours. A substantial amount of the food will be sold to customers in their motor vehicles, who will then leave the site. Fourteen stacking spaces will be provided for

automobiles that drive in for service, and there will also be a window provided for those who desire to walk up and then leave the premises with their order. Mr. Hoff testified that he believes all of the criteria set forth in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied.

Mr. Kronthal objects because he believes there are too many fast-fool restaurants already in the area, and the resultant traffic will exacerbate an already deteriorating traffic situation. Ms. Pilcher will be forced to leave her building at the end of her lease in order to make way for the proposed restaurant and is concerned with the need to displace her business with another fast-food restaurant.

The Petitioners seek relief from Section 236.4, BCZR, pursuant to Section 502.1.

It is clear that the BCZR permits the use requested by the Petitioners in a B.R. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence) which would show that the proposed use m t the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location

- 2 -

described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ______ day of October, 1986, that the Petition for Special Exception for a drive-thru/walk-up convenience food service facility be and is hereby GRATTED from and after the date of this Order.

cc: William N. Butler, Esquire Mr. Donald Kronthal Ms. Beatrice Pilcher People's Counsel

AJ/srl

HOFF, ROSENFELT & WOOLFOLK, INC. Civil Engineers • Landscape Architects • Planners Water Quality & Stormwater Management Consultants



DESCRIPTION TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION

- 3 **-**

_5502 Johnnycake Road 1st Election District Baltimore County, Md.

Date: July 14, 1986

point; thence

Beginning for the same on the northeast side of Johnnycake Road, at the distance of 127.6 feet, more or less, northwesterly from the centerline intersection of Old Frederick Road and Johnnycake Road, and running thence the four following courses and distances:

- 1) North 51 degrees 30 minutes 00 seconds West 100.00 feet to a point; thence
- 2) North 19 degrees 56 minutes 10 seconds East 110.86 feet to a
- 3) South 70 degrees 30 minutes 00 seconds East 93.69 feet to a
- South 19 degrees 56 minutes 10 seconds West 143.41 feet to the place of beginning. Containing 0.273 Acres, more or less.

This description is compiled from deeds and plats and does not represent a true survey. This description is intended for zoning purposes only.



I:/RSR/143CORR.DOC

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117 Telephone: (301) 356-4600

PETITION FOR SPECIAL EXCEPTION 1st Election District

Case No. 87-166-X

LOCATION: Northeast Side of Johnnycake Road, 127.6 feet Northwest of Old Frederick Road (5502 Johnnycake Road)

DATE AND TIME: Wednesday, October 22, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesapeake Avenue. Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a drive-thru/walk-up convenient food service

Being the property of <u>John Greco, et al</u> plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER NE/S of Johanvcake Rd., 127.6' NW of Old Frederick Rd. (5502 : Johnnycake Rd.), 1st District

OF BALTIMORE COUNTY

JOHN GRECO, et al., Petitioners Case No. 87-166-X

::::::

ENTRY OF APPEARANCE

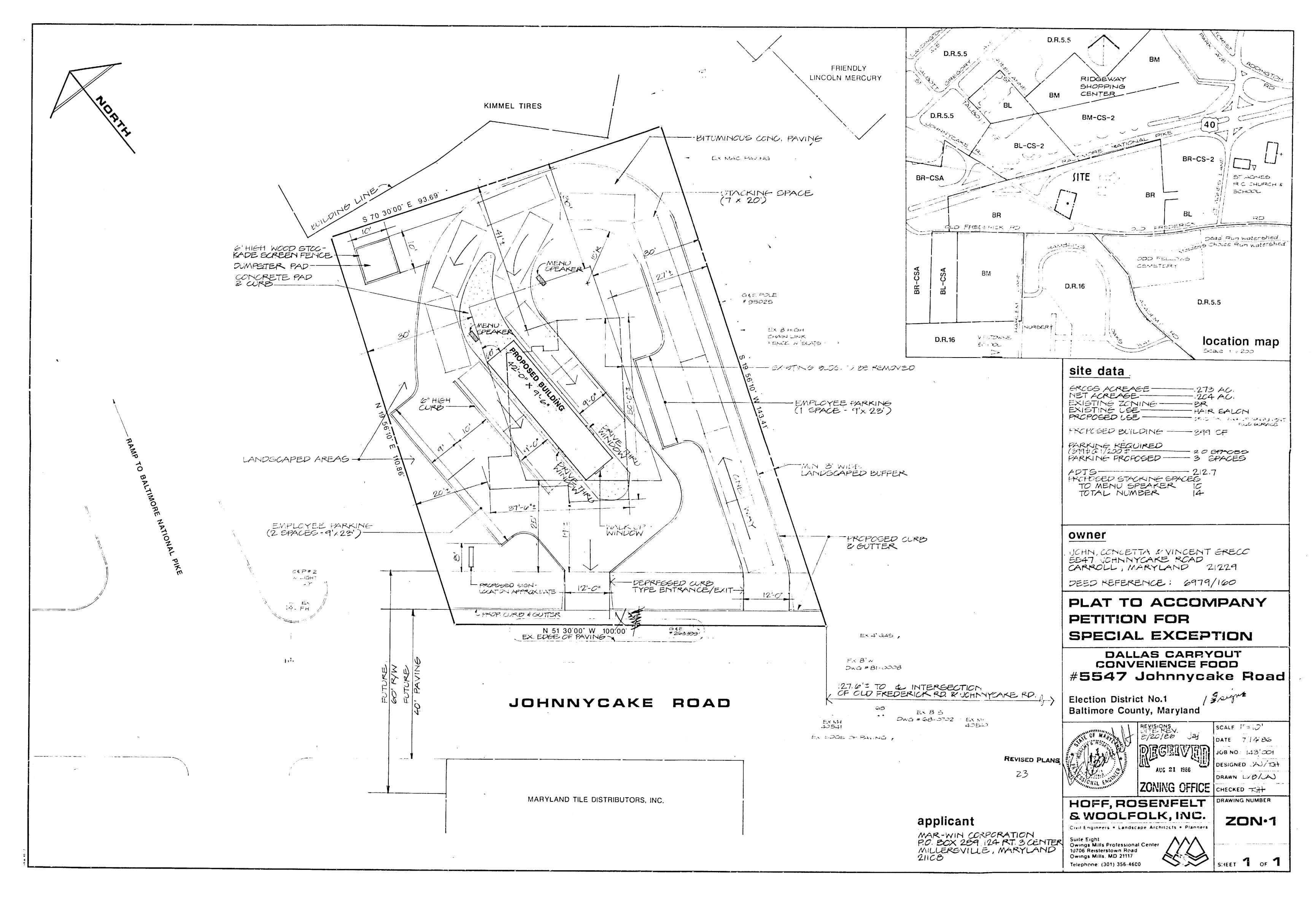
Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> the Colored Land Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 23rd day of September, 1986, a copy of the foregoing Entry of Appearance was mailed to William N. Butler, Esquire, 401 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and Edward W. Isaacs, P. O. Box 289, 124 Md. Rte. 3 Center, Millersville, MD 21108, Contract Purchaser.

Peter Max Zimmerman



ARNOLD IABLON ZONING COMMISSIONER

October 17, 1986

JEAN M. H. JUNG DEPUTY ZOINING COMMISSIONER

Mr. John Greco Mrs. Concetta Greco Mr. Vincent Greco 1107 Kent Avenue Baltimore, Maryland 21228

RE: PETITION FOR SPECIAL EXCEPTION NE/S of Johnnycake Rd., 127.6' NW of Old Frederick Rd. (5502 Johnnycake Rd.) 1st Election District John Greco, et al - Petitioners Case No. 87-166-X

Lady and Gentlemen:

CONTROLLED A PUBLIC CONTROL OF THE ACT OF SEASON AND

Property Company of the Company of t

VALIDATION OR SIGNATURE OF CASHIER

This is to advise you that \$59.00 is due for advertising and posting of the above property. This fee must be paid before an is due for advertising Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit lding, Towson, Maryland

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

10750 Little Patuxent Pkwy

Columbia, MD 21044

October 4

PETITION FOR SPECIAL EXCEPTION 1st Election District Case No. 87-166-X LOCATION: Northeast Side of Johnnycake Road, 127.6 feet Horthwest of Old Fredenck Road (5502 Johnnycake Road) DATE AND TIME: Weanesday, October 22, 1996, at 10:30 s.m. PUBLIC HEARING: Room 301, County Office Building, 111 West Chesapeaks Avenue, Towson, Martenant ytand
The Zoning Commissioner of
Baltimore County, by authority of
the Zoning Act and Regulations of
Baltimore Cuunty, will hold a public nearing: Petition for Special Exception for a drive-thru/walk-up convenient tood service facility. Being the property of John Graco, ett al, as shown on the platified with the Zoning Office. In the event that this Petition(s) in the event that this Petition(s) is granted, a building somist they be easied within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above (in made at the hearing.

BY ORDER OF ARMOND JURGE CN

ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for special

Exception

was inserted in the following: *XCatonsville Times ☐ Arbutus Times weekly newspapers published in Baltimore County, Maryland once a week for _____one___successive weeks before the _ 4 _ _ day of October ____ 19 _ 86, that is to say,

October 2, 1986

the same was inserted in the issues of

William N. Butler, Esquire 401 Allegheny Avenue Towson, Maryland 21204

September 12, 1986

NOTICE OF HEARING RE: PETITION FOR SPECIAL EXCEPTION NE/S Johnnycake Rd., 127.6' NW of Old Frederick Rd. (5502 Johnnycake Rd.) 1st Election District John Greco, et al Case No. 87-166-X

TIME: DATE: Wednesday, October 22, 1986 PLACE: Room 301, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

ıöre County

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

VALIDATION OR SIGNATURE OF CASHIER

87-166-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Zoning Commissioner

Petitioner John Creco, et al Petitioner's Attorney William W. Butler, Esquire

Received by: James E. Dyar Chairman, Zoning Plans Advisory Committee

CERTIFICATE OF PUBLICATION

PETITION FOR SPECIAL EXCEPTION 1st Election District Case No. 87-166-X LOCATION: Northeast Side of Johnnycake Road, 127.6 fee Northwest of Old Frederick Road (5502 Johnnycake Road)
DATE AND TIME: Wednesday, October 22, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 301. County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland The Zoning Commisioner of Balti-more County, by autority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Exception for a drive-thruwalis-up convenient food service facility
Being the property of John Greco, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this negligible.

during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of ARNOLD JABLON Zoning Commissioner of Baltimore County

10/003 Oct. 2.

TOWSON, MD., October 2, 19 86 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 2 19 86

> THE JEFFERSONIAN. Publisher Cost of Advertising

> > 24.75

BALL MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner Date September 18, 1986

Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 87-166-X

Assuming compliance with the comments of the Department of Traffic Engineering's representative to the Zoning Plans Advisory Committee, this office is not opposed to the granting of the subject

NEG:JGH:slm

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 13, 1986

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Chairman

MEMBERS

Bureau of

Bureau of

Industrial

Development

Engineering

Department of

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Traffic Engineering

State Roads Commissio

William N. Butler, Esquire 401 Allegheny Avenue Towson, Maryland 21204

RE: Item No. 23 - Case No. 87-166-X Petitioner: John Greco, et al Petition for Special Exception

Dear Mr. Butler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER Chairman Zoning Plans Advisory Committee

and the state of t

JED:kkb

Enclosures

cc: Hoff, Rosenfelt & Woolfolk, Inc. 10706 Reisterstown Road, Suite Eight Owings Mills, Maryland 21117

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER DIRECTOR

> Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

SEPTEMBER 15, 1986

Re: Zoning Advisory Meeting of JULY 29, 1986 Item 123 Property Owner: JOHN GRECO, et al Location: NE/S JOHNNY CAKE RO.

127.6' NW. OLD FREDERICK RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

()There are no site planning factors requiring comment. ()A County Review Group Meeting is required.

)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.

)This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

)A record plat will be required and must be recorded prior to issuance of a building permit.

)The access is not satisfactory.)The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.

)Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.

)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.

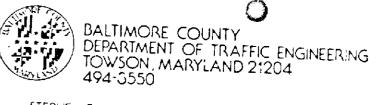
Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board

()Landscaping: Must comply with Baltimore County Landscape Manual.)The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

()The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

)Additional comments:

David Fields, Acting Chief Current Planning and Development



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1. 1. 20 Timber a second de la la companya de la co

STEPHEN E. COLLINS DIRECTOR

cc: James Hoswell

August 12, 1986

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Item No. 23 Property Owner:

Location: Existing Zoning: Proposed Zoning:

NE/S Johnnycake Road, 127.6 feet NW Old Frederick Road Special Exception for a drive-thru/walk-up convenient food service

Meeting of July 29, 1986

John Greco, et al

Acres: 0.273 acres District: 1st Election District

Dear Mr. Jablon:

The plan for this site must be revised to show only one access point for this site, and that access point must meet county standards for a commerical site. The site should be designed for use of a garbage truck to pick up trash on site.

Very truly yours,

elected act - - -Michael S. Flanigan Traffic Engineer Associate II

MSF:1t



A look at what makes



an exciting growth opportunity

Major fast food chains report that 40-50% of their volume comes from drive-thru windows with as much as 60% of all hamburger sales take-out orders. Clearly, the drive-thru operation has emerged as one of the most profitable dimensions of the fast food industry.

DALLAS FAST FLOW-FAST SERVICE Restaurants are in perfect position to capture a large percentage of this rapidly growing and highly profitable segment of the fast food industry. THE DALLAS concept is to build inexpensive yet well-engineered, hightech buildings with double drive-thru

windows and walk-up window.

These units can be set in place for about 40% of the cost of standard fast food facilities, and have the potential to produce 60-80% of the volume of many typical, more expensively built fast food restaurants.

All these features are designed to pro-

Restaurants to the forefront of the

Mar-Win Corporation and its officers

are excited about the Dallas Double

More than 18 months have gone into

of this unique concept. Every detail,

including menu planning, product

testing, building design, equipment

layout, site selection and traffic flow

investigated. We are confident that this

MAR-WIN CORPORATION

F.O. Box 289, 124 Route Three Center Millersville, MD. 21108 (301) 987-8638

is an exciting growth opportunity for

has been thoroughly analyzed and

the research, development and planning

fast food business. That is why

Drive-Thru concept.

people of vision.

pel DALIAS FAST FLOW-FAST SERVICE

The Secretary of the Se

The units require fewer employees and are designed to maximize employee efficiency. They are not burdened with the expense of dining rooms and restrooms, their related maintenance, heating, air conditioning, lighting and other miscellaneous costs.

To maintain fast service and low pricing. the menu is limited to hamburgers, chicken fillet sandwiches, fries and soft drinks. Future plans may include fried chicken and breakfast.



Arthur Lister Vice-President

Art Lister brings 20 years of experience in food service operations to Mar Win Corporation. He has directed the openings of nearly 50 fast food restaurants; first for the Burger King system and then together with Ed Isaacs for Roy Rogers Restaurants. He has extensive experience in the areas of lease negotiations, construction, equipment, decor, management development and administration. Art's past experience gives Mar Win Corporation an edge in meeting the tough challenges posed by its ambitious development program

Amos LeRoy Wheatley, Jr.

Director and Treasurer Mr. Wheatley, a Certified Public Accountant, has operated his own accounting firm in Baltimore, Maryland since 1967. Mr. Wheatley served as Vice President, Treasurer and Director of Five Star Foods Corporation during its growth and development of the Roy Rogers Restaurants in Maryland. For over 10 years. Mr. Wheatley served with Swift & Company in the Hotel and Restaurant Division. Today, in addition to his accounting practice, he is part owner and Director of Design Masters, Inc., a manufacturing company of specialty fixtures and cabinets for hotels and restaurants. His combined experience in food. accounting, cost control and marketing will be an outstanding asset to the company

Roland R. Bounds

Director and Corporate Secretary Mr. Bounds has been engaged in the practice of law in the Baltimore, Maryland area for the past 30 years and is the Semor Partner of the law firm of Bounds & Bounds, which firm acts as general counsel to the company He has extensive knowledge and experience in the business community and had previously served as a Director, Corporate Secretary and General Counsel to Five Star Foods Corporation, the developers of the Roy Rogers Restaurants chain in Maryland, where he worked closely with Mr. Isaacs in various acquisitions and real estate lease negotiations

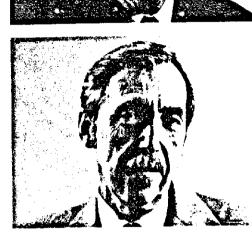
Harvey Blonder

Director and Consultant Barvey Blonder is president of H.B. Properties, Inc., a Maryland based business and real estate investment firm founded in 1975-11B. Properties, Inc. specializes in the management, sale and leasing of office buildings, shopping centers, commercial properties and restaurants. Mr. Blonder's knowledge of the market and experience in land development and property rehabilitation will bring to Mar Win Corporation an excellence in site planning. His extensive background in real estate negotiations, acquisitions and financial planning will be a tremendous asset to Mar Win Corporation

Mark A. Millman Director of Personnel

Mark Millman is founder and president of MPS Consultants, a Baltimore based management firm that specializes in the restaurant and retail industry Mr. Millman has recruited and managed personnel for Family Steakhouses, numerous fast food chains including Roy Rogers Restaurants. In addition to his restaurant experience. Mr. Millman has provided his services for national retail companies including Webster Men's Wear and Woodward & Lothrop.









Menu & the Market:

Hamburger Supremacy

Beef is America's most popular meat. The average American eats nearly 100 pounds a year and beef accounts for well over 60% of the average meat diet. THE DALLAS FAST FLOW-FAST SERVICE concept is designed to capitalize on beef's popularity by offering a fresh, lean, quarter-pound hamburger as the focal point of its menu. This specialization of only double drive-thru and walk-up service, coupled with case of employee training, high sales to labor ratio and operational simplicity offers many potential built-in profitable advantages.

The big, two-fisted 1/4 lb. Dallas hamburger patties are prepared daily in the restaurant using only lean, fresh 100% ground beef, never frozen. While grilling the hamburgers, a speciallyblended seasoning is lightly applied. This gives each Dallas hamburger a unique and mouth-watering flavor. It is then served on a toasted bun and

garnished with crispy lettuce, pickles. freshly sliced tomatoes, onions and a choice of dressings. Most importantly, each hamburger is served fresh off the grill—they are never

heat lamps.

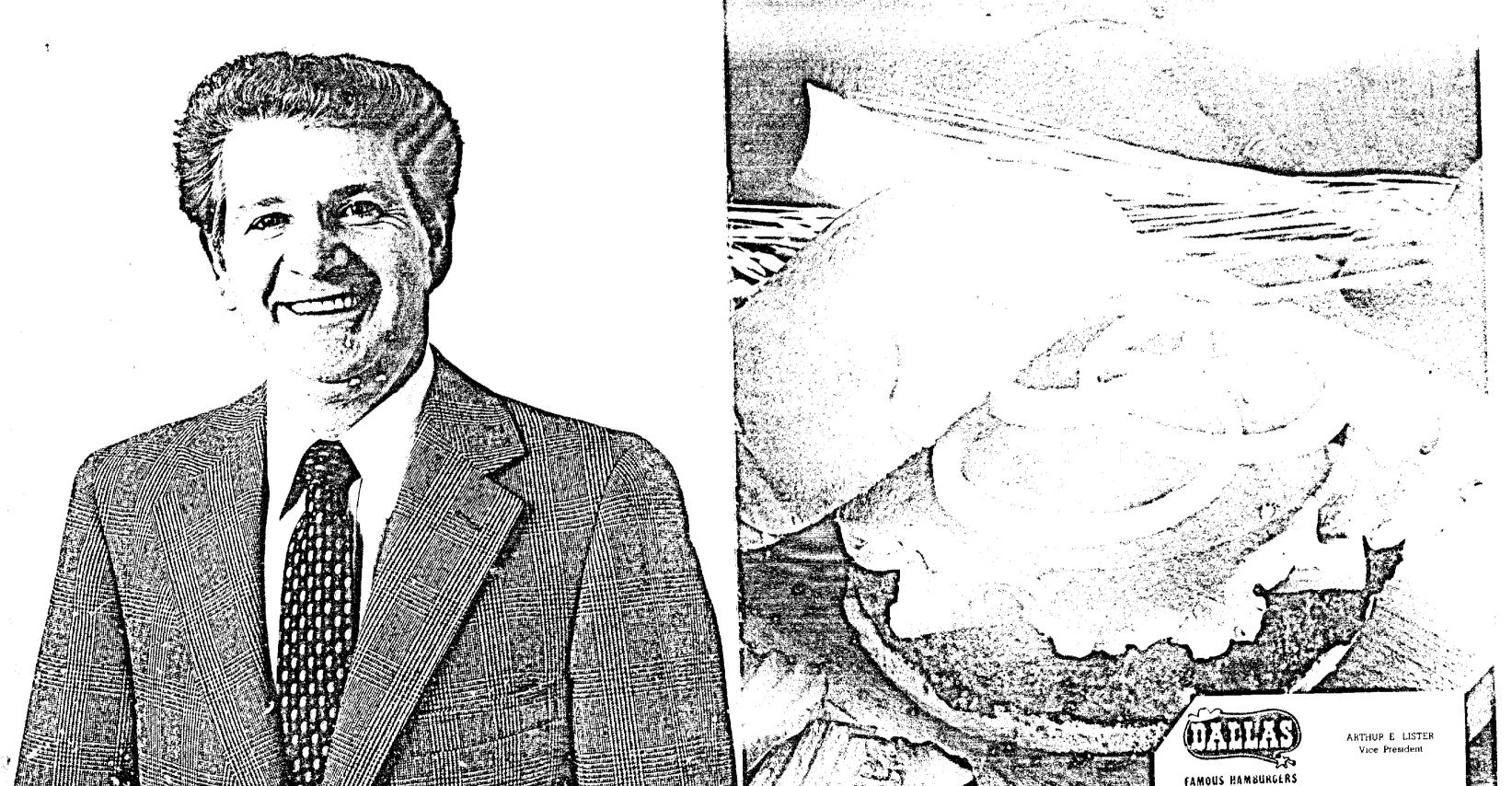
pre-wrapped and left to dry out under

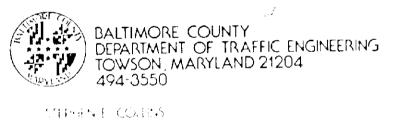
Golden Fried Chicken Fillet

THE DALIAS FAST FLOW-FAST SERVICE menu also features a golden fried chicken fillet sandwich. The chicken fillets are marinated in our own special tenderizing seasoning and then double-breaded with spicy flour. The fillets are then served on a toasted bun and garnished with lettuce, pickles, mayonnaise or other toppings.

Rounding out the menu are the crispy french fries and ice cold beverages. They, too, are ready in an instant. THE DALLAS FAST FLOW-FAST SERVICE menu was designed and priced to appeal to both the family and the working market.







DIRECTOR

September 10, 1986

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> COMMENTS FOR REVISED SITE PLANS for item #23, Dallas Carryout, 5547 Johnnycake Road

Dear Mr. Jablon:

The plan shows two residential-type entrances and must be revised to show one commercial-type entrance.

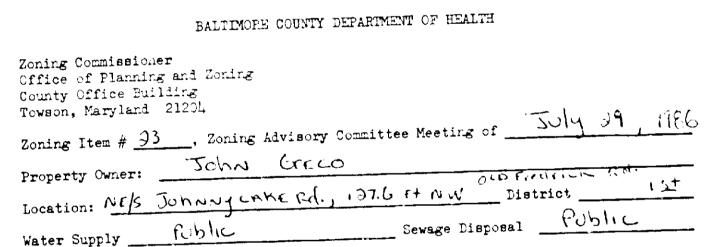
Very truly yours,

Michael S. Flanigan Traffic Engineer Associate II

MSF:1t



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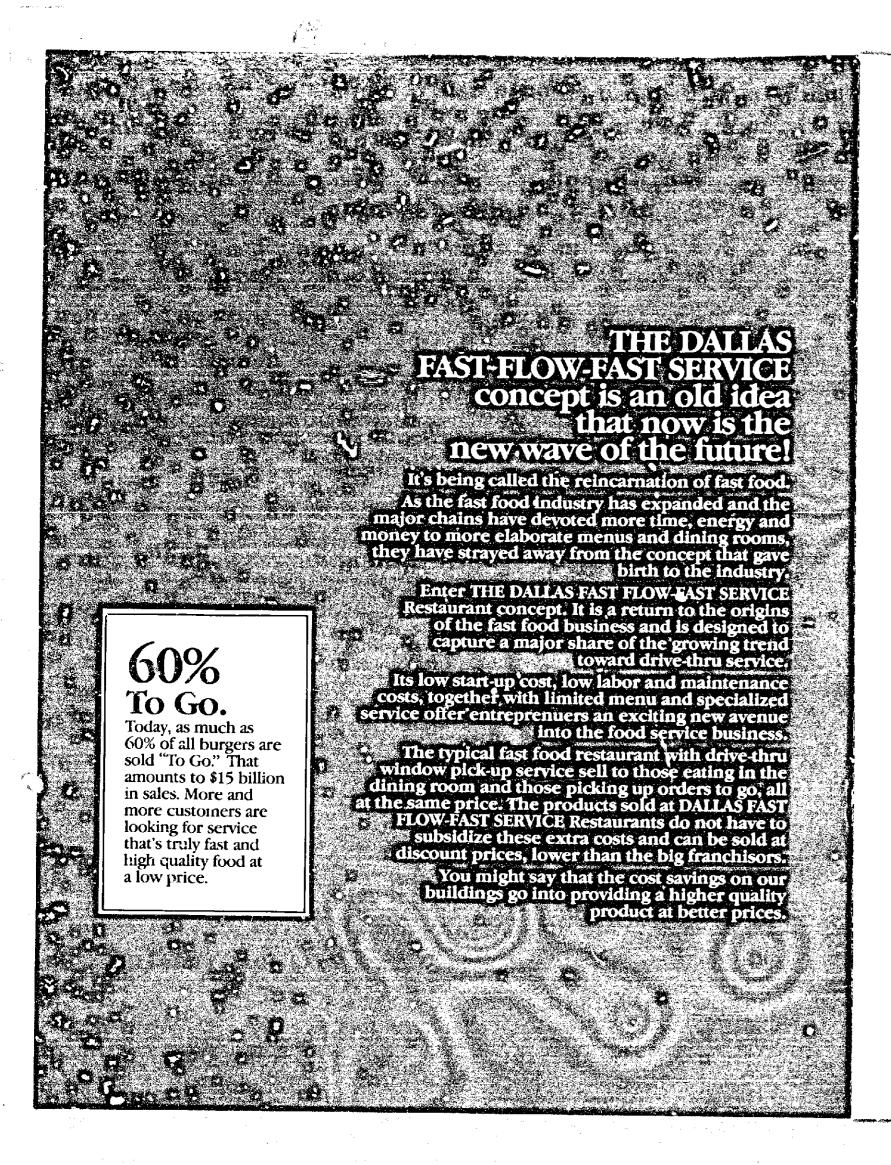
COMMINTS ARE AS FOILOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

 For Additional information contact Bill Clarke At 494-0760
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-
- ments for such installation/s before work begins.

 () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Raview and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltlmore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

'JUN 26 1087



Management at 494-3768.

well yield test

WWQ 2 4/86

The results are valid until

additional tests are required.

shall be valid until

MAR-WIN CORPORATION

PLANNED EXPANSION

Progress is our goal... management is our key.

Mar-Win Corporation has launched a development program for THE DALIAS FAST FLOW-FAST SERVICE Restaurants.

These unique FAST FLOW-FAST SERVICE restaurants feature double drive-thru service and walk-up windows for limited menu items.

The company's development plans consist initially of building and operating approximately 18 restaurants in Maryland and Virginia. In addition, the company plans to develop a franchising program in the near future for the devlopment of its restaurants in other states.

It's an exciting goal! We intend to expand in an aggressive, orderly fashion into carefully chosen high traffic markets.

The company's plans should progress rapidly. After careful surveys, market research, and traffic studies, several excellent market areas have been selected and designated for proposed DALIAS Restaurants and are currently underway with negotiations to acquire leases and the purchase of land.



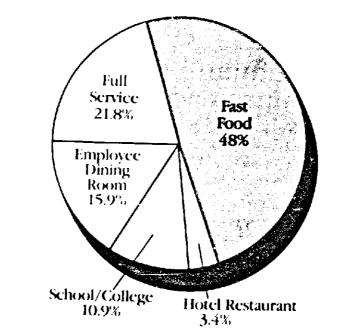
Zoning Item # $\frac{33}{200}$ Zoning Advisory Committee Meeting of $\frac{914}{86}$ () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste () Soil percolation tests (have been/must be) conducted. Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. () In accordance with Section 13-117 of the Baltimore County Code, the water is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

The Nation's Largest Industry In Existence Today is The Food Service Industry.

Where the Meals Are

Of all "away from home" meal occasions reported in a typical week, fast food establishments scored highest among dining-out opportunities. Both average weekly spending and occasions per week continue to rise, with breakfast and dinner scoring higher frequency gains

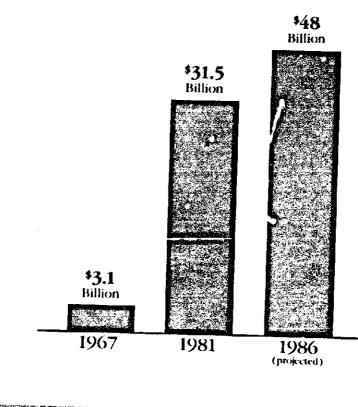
Conclusion: The typical household spends nearly one quarter of its out-of-pocket dollars for food away from home!



The Fast Food Phenomena!

Since 1967, fast food sales have jumped 1450%. Proof that the nation's largest industry in existence today is the food industry.

SOURCE: Restaurants & Institutions



Edward W. Isaacs President

Edward W. Isaacs is president and director of Mar-Win Corporation, and also one of its founders. Mr. Isaacs' food service experience dates back to the early 1960's when he rose from kitchen food preparation to manager, and finally co-owner of a family restaurant.

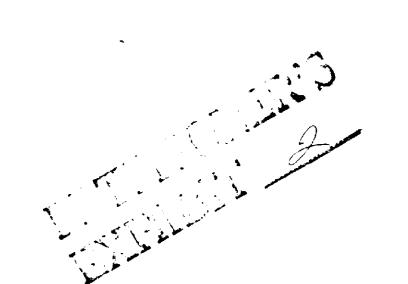
In 1968, Mr. Isaacs became associated with the Marriott Corporation as one of their carlier franchisees for the then newly formed Roy Rogers Family Restaurants, Between 1968 and 1979 Mr. Isaacs developed most of the state of Maryland for Roy Rogers Restaurants prior to selling the franchise and the restaurants to Marriott. From 1978 to present, Mr. Isaacs has served as Vice President and President of Design Masters, Inc. which has quickly become a leading company in the Baltimore area for cabinet manufacturing; specializing in design and manufacturing of restaurant furniture, counters, salad bars and cabinets. Mr. Isaacs' close association with the

Marriott Corporation included attendance at many Marriott-sponsored Roy Rogers Executive Management Training Seminars. Through numerous seminars and special training Mr. Isaacs has received in-depth

coverage of personnel management, food service, quality control, food preparation, procurement, restaurant equipment, sanitation, cost control and site selection.







FIRE DEPARTMENT
TOWSON MARYLAND 21204 2566 ... 494-4500 PAUL H REINCKE

August 13, 1986

Mr. Arnold Jublon Zoning Corrassioner Office of clanning and forting Bultimore (Curity iffice Building Towner "Finling 21264

Gentlemen:

RE: Property Owner: John Greco, et al

Location: NE/S Johnnycake Road, 127.6' NW O. Frederick Road

Item No.: 23 Zoning Agenda: Meeting of 7/29/86

Pursuant to your request, the referenced property has been surveyed by this Sureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() l. Fire hydrants for the referenced property are required and shall be located at intervals or ______feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

 $^{\prime}$ x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

') 6. Site plans are approved, as drawn.

) 7. The Fire Prevention Bureau has no comments

fire Prevention Bureau Special Inspection Division

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES / TOWSON, MARYLAND 21204 TED ZALESKI, JR.

August 14, 1986

Mr. Arnold Jablon, Zoning Commissioner

Office of Planning and Zoning Towsen, Maryland 21204

Dear Mr. Jablon:

DIRECTOR

Comments on Item # 23 Zoning Advisory Committee Meeting are as follows:

John Greco, et al NE/S Johnnycake Road, 127.6 feet NW Old Frederick Road 1st. Districts

APPLICABLE ITEMS ARE CERCLED: All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #117-1 - 1980) and other applicable Jodes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer 1s/1s not required on plans and technical data.

Commercial: Three sets of construction drawings scaled and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced scale are not acceptable.

E. All Use Groups except H-L. Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-O to an interior lot line. B-L Use Groups require a one hour wall if closer than 3'-O to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1400.2 and Table 1402. No openings are permitted in an exterior wall within 3'-O of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/arms. Reply to the requested variance by this office cannot be considered until the necessary data partaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, of the Baltimore County Building Code.

H. When filing for a required Change of Uss/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Ese to Mixed Usos See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Rivarine. Please see the attached copy or Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above see level for the lot and the finish floor levels including basement.

(J.) Comments: Comply with State Handicapped Code for curb cuts - Building access and useability, for employees or public as the conditions warrant.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Suilding at 111 b. Chesapeane Avenue, Towson, Maryland 2:204. Marles & Suntan C. E. Burnham, Thief

LAW OFFICES

HOWARD, BUTLER & MELFA P. A.

401 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

DICKEE M. HOWARD WILLIAM N. BUTLER LAWRENCE A. MELFA TELEPHONE (301) 337-0900

August 21, 1986

Baltimore County Department of Zoning
Baltimore County Office Building Chesapeake Avenue
Towson, Maryland 21204
Attention: Mr. James Dyer
Re: Grecc/Mar-Win

Item No. 23

5547 Johnnycake Road

Dear Mr. Dyer:

With reference to the above captioned matter, a hearing was to be scheduled on our client's Petition for Special Exception. After reviewing the plans an item requiring a variance was discovered so the hearing was postponed. The item is being eliminated from the plans and revised plans will be delivered by tomorrow. Our client is anxious to receive a hearing date as soon as possible. I would appreciate it if you could reserve a date and time for the hearing and notify our office of same.

Thank you for your prompt attention to this matter.

Very truly yours,

WNB:gh

William N. Butler

PETITION AGAINST RE-ZONING HEARING is Wednesday,
CA 166-X 07-166-X 0.32 10:30 A.M.

We are opposed to having this area of Johnnycake Rd. and Baltimore National Pike to be re-zoned for a walk in; drive-thru; fast food service facility. We reel that this is alread, a neavily travella nighway and conjested intersection. The added traffic and related construction equiptment that it would bring, would make it negardous for children going to and returning none from school. There would seem to be more than enough food services and convenience stored available in this area. Within 1 to 2 blocks radius there are Mc Donalde, The Meat Center, Kentucky Fried Chichen, surger King, Ar.G's Carry out, International House of Pancakes, Chi Chi's Resturant, Roy Rogers, Tago

There would not be any other hair styling establishment within a walking distance for the Benior Citizens and the general public in this area. WE the undersigned are therefore opposed to this action....

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Perisa Eady 416 DRURY LANE 21229

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Seven Eleven, Royal Farm Store & mighs store.

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Dard Impro 1547 Kuperoccipi

County, Building, 111 W. Chesapeake Room 106

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Partition Adams: Re-Zoning

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We are opposed to having this area of Johnnycake Rd. and Baltimore Rational Pike to be re-zoned for a walk in; drive-thru; fact food dervice facility. We feel that this is already a heavily tradeled highway and conjected interaction. The absent traffic and related con trastion exciptment that it would oring, would make it hashrooms of children boing to and returning nome from school. There would beem to be more than enough food services and convenience stores available in this area. Within 1 to 2 blocks radius there are Mc Lonalds, the Meat Center, burger Ming, Rentucky Fried Chicken, Mr. G's carry out, International House of Pancakes, Chi Chi's Resturant, Roy Rogers, Taco hell, Rustlers Dteam House, Westviwe Lounged Resturant, Dominos Pizza, Seven Eleven, Royal farm Store & Highs Store.

There would not be another hair styling establishment within walking distance for the Senior Citizens and general public in this area. We the undersigned are therefore opposed to this action.

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Mary Deriver 1214 Check and 1222 Colored to 12

PETITIO. AGAINST RE-ZONING CASE # 37-166-X

To whom it may concern,

We are opposed to having this area of Johnnycake ad. and Baltimore National Pike to be re-zoned for a walk in; drive-thru; fact food service facility. We feel that this is already a neavily traveled highway and competed intersection. The added traific and related construction equiptment that it mould bring, would make it a marguage for suffured joing to and returning make from conoil. There would been to be more than enough food services and convenience stores available in this area. Within 1 to 2 blocks radius there are in Tohalus, The Meat Center, Kentucky Fried Chicken, surger King, Ar.G's Carry out, international house of Pancales, Chi Chi's Resturant, Roy Rogers, Taco sell, Rustiers Steak House, Restview Lounge & resturant, Lominos Pizza, Seven Eleven, Royal Fara Store & Highs Store.

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PETITION AGAINST REZONNING

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'JUN 26 1987

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histed below are some of the presently operating food service establishments. These facilities are within one sile or less of the proposed new food service.

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Double T Diner
Westview Louns
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Dunkin Donut Raskin Robbins Rowling Allega Hentucky Mried Caleven - 1
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Steak & Fried
Murphy's
Chicken Roost Tizza Parlora - ? Eutzler's Sorrento's Sancho Yosurt Tree Boo's big Boy Denny's Holiday Inn Jack's Cornbeef A & P